

REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

Claims 42, 53, 63, 68, and 69 have been amended. Support for the amendments is provided for example in paragraphs [0092], [0183], and [0184] of Applicants' published specification. (It should be noted that references herein to the specification and drawings are for illustrative purposes only and are not intended to limit the scope of the invention to the referenced embodiments.)

Claims 42, 43, 45-47, 49, 53, 54, 56-58, 60, 68, and 69 stand rejected, under 35 USC §103(a), as being unpatentable over Beckmann et al. (US 2004/0028078) in view of Cheng et al. (US 2004/0228313). Claims 51 and 62 stand rejected, under 35 USC §103(a), as being unpatentable over Beckmann in view of Cheng and the 3GPP TR 25.896 V6.0.0 (2004-03) article. To the extent that these rejections may be deemed applicable to the amended claims, the Applicants respectfully traverse as follows.

Claim 42 now defines a data transmission method in which a mobile terminal receives radio bearer mapping information comprising for each of radio bearer: (1) a priority indicator for indicating a priority to be assigned to a logical channel to which the respective radio bearer is to be mapped and (2) a scheduling mode out of plural scheduling modes of the logical channel to which the respective radio bearer is to be mapped.

The Advisory Action proposes that Cheng discloses receiving a transmission parameter (e.g., radio bearer mapping information) that indicates a priority and a scheduling mode (see Advisory Action page 2, penultimate paragraph, and Cheng ¶ [0029]).

Although Cheng's received transmission parameter may indicate a priority and a scheduling mode, claim 42 now expressly recites two pieces of information within the mapping information; one piece of the claimed information indicates priority, and the other piece indicates a scheduling mode. Hence, the claimed subject matter provides information independently controlling the scheduling mode and priority.

Cheng's disclosed transmission parameter and priority indication parameter each control both the priority of the transmission and the transmission mode thereof. Furthermore, Cheng's disclosed transmission parameter provides no explicit indication of the scheduling mode.

Supplementing Beckmann's disclosure based on the teaching of Cheng would prompt a skilled artisan to modify Beckmann's system such that the transmission mode (scheduling mode) is selected based on the one of the transmission parameters in the mapping information disclosed by Beckmann, preferably the priority information therein. It seems, however, not reasonable to assume that the skilled artisan would have foreseen another extra piece of information (transmission parameter) in the mapping information disclosed by Beckmann.

Accordingly, the Applicants submit that the teachings of Beckmann and Cheng, even if combined as proposed in the Advisory Action, still would lack the above-noted feature of claim 42 and thus these references, considered individually or in combination, do not render obvious the subject matter now defined by claim 42. Independent claims 53, 63, 68, and 69 now similarly recite the above-mentioned subject matter distinguishing method claim 42 from the applied references, though claims 53 and 69 do so with respect to apparatuses and claim 63 does so with respect to a computer readable medium. Therefore, allowance of claims 42, 53, 63, 68, and 69 and all claims dependent therefrom is considered to be warranted.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,

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JEL/DWW/att

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